



San Joaquin River Group

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- Modesto Irrigation District
- Turlock Irrigation District
- South San Joaquin Irrigation District
- San Joaquin River Exchange Contractors

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- Merced Irrigation District
- Oakdale Irrigation District
- Friant Water Users Authority
- City and County of San Francisco

September 2, 1999

Lester Snow, Executive Director
CALFED Bay-Delta Program
1416 Ninth Street, Room 1155
Sacramento, CA 95814

RE: Comments to Draft EIS/EIR

Dear Lester:

Enclosed are comments of the San Joaquin River Group Authority to CALFED's Draft EIR/EIS. These comments are narrowly focused on the San Joaquin River Agreement ("SRJA") and the Vernalis Adaptive Management Plan ("VAMP"). We hope the comments will help clarify any confusion regarding the San Joaquin River Agreement and VAMP. Should your staff have any questions regarding these comments or on the SJRA and VAMP please tell them to call me.

The individual member agencies of the San Joaquin River Group Authority will be making their own individual comments on the Draft EIR/EIS. We ask that you seriously consider the comments of the individual agencies and the San Joaquin River Group Authority. It appears the comments we have previously made have not been addressed or have been ignored.

Additionally, the San Joaquin River Group Authority feels it is important that:

- The solution to California's present and future projected water supply shortage can only be addressed by the construction of new surface storage facilities, north and south of the Delta, to capture water during high flow periods. Water use efficiency and water transfers are only part of the overall solution.
- Improved conveyance across the Delta must be addressed in order to enhance drinking water quality, provide more flexibility for ESA management, and to be able to respond in a timely fashion to changing hydrologic and biologic conditions.
- The solution principle of "No Significant Redirected Impacts" to water users that do not gain tangible benefits from the Bay-Delta program must be adhered to. We are especially concerned with the proposed diversion fee that has already been shown to not be acceptable under the SWRCB's draft D-1630.

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- While we recognize that conjunctive use is an important water resource management tool that will vary in significance from region to region in the state, we feel that too much emphasis and false promise has been placed on this tool in the Sacramento-San Joaquin Valley. The issues related to aquifer storage potential, the timing of recovery and use of the water, water quality impacts, and local third-party interests have been largely ignored or assumed to be not problematic.

The current CALFED Phase 2 Report and draft EIR/EIS are a start to a process to resolve California's water problems. The San Joaquin River Group Authority looks forward to working with CALFED to resolve California's water problems in a reasonable balanced way. The process has started, many changes are needed, but we will work with CALFED to make those changes.

Sincerely,



ALLEN SHORT

Coordinator

San Joaquin River Group Authority

Attachments

C: SJRG

CALFED Draft Programmatic EIS/EIR - June 1999

Chapter 1. Project Description

- P 1-22 Vernalis Adaptive Management Plan: The USBR does not acquire water pursuant to the SJRA. The USBR pursuant to the SJRA acquires performance at Vernalis. The member agencies of the SJRA release water to meet the required VAMP flow. The member agencies that are making water available under their water rights have filed change petitions with the SWRCB pursuant to Water Code §§1707 and 1735 to change the place of use and purpose of use of their water rights to protect their water as it makes its way to Vernalis. The SWRCB held hearings on the change petitions as part of its Bay-Delta Water Rights Hearing. The hearing was Phase 2B.
- P 1-23 The SJRGA has adopted a Final EIR for the San Joaquin River Agreement. The USBR has adopted a Record of Decision for the San Joaquin River Agreement. A copy of the EIS/EIR is enclosed for your use.
- P 1-23 The environmental assessment for additional water was only for 1999. The EIS/EIR for the San Joaquin River Agreement realized that with the infinite combinations of hydrology and the uncertainty of the source of additional water long term environmental analysis could not be completed for the additional water. The acquisition of additional water will take place on an as needed basis.
- P 1-23 We are confused that the document states that the VAMP will directly contribute to meeting the restoration goals of the ERPP and yet in 6.1-32 it is stated, without foundation, VAMP could have a possible adverse effect. Please reconcile these statements.

CALFED Draft Programmatic EIS/EIR - June 1999

Chapter 6. Biological Environment

6.1 Fisheries and Aquatic Ecosystems

- P 6.1-32 6.1.6.4 We are perplexed with the statement that "extended flows during April-May could provide benefits to SJR species present in spring of some years." We understand that there may be disagreement about the extent of the pulse flow and the quantifiable benefit it may have on species within the tributaries to the SJR, the SJR and the Delta. There is, however, no disagreement that the flows are being provided for fall-run chinook salmon that are present every year not just some years. Does the statement imply an understanding or knowledge that the pulse flow is for some species other than fall-run, and that species may or may not be present in spring?

Even if the VAMP were not present, the implementation of the SWRCB 1995 Water Quality Control Plan may/will reduce reservoir storage. This is because the flow requirement in April/May requires the bypassing of flows, or release of storage to meet the 1995 flow requirement. The enclosed EIS/EIR made no finding that water temperatures would increase due to reduction in reservoir storage. The enclosed EIS/EIR found that there would not be a reduction of flows except in wet years during January, February and March. In those months the reservoirs would be

refilling the space from the water made available for the SJRA. The EIS/EIR specifically found that such a reduction in flow in those months and those years would not have an impact on fall-run salmon.

Rather than address the steelhead issue in depth in these comments we have enclosed the SJTA's comments to NMFS regarding critical habitat for steelhead. There is little doubt that anadromous rainbow trout are not present in the Merced and Tuolumne and San Joaquin Rivers above the confluence with the Merced River. There is disagreement about whether or not there is a self-sustaining anadromous rainbow trout fishery in the Stanislaus River.

There has been no finding that the presence of "contaminants" has degraded the survival and spawning of aquatic species. Likewise, there has been no report, etc., that the undefined improvements in contaminants will be beneficial to the spawning and survival of fall-run chinook salmon. Indeed the literature would indicate that the Stanislaus, Tuolumne and Merced have excellent water quality for spawning and rearing.

P 6.1-32 The SJRA is a 12 year agreement. No extension of SJRA has been negotiated.

Ecosystem Restoration Program Plan Vol 2 - ecological management Zone Visions

P 394 The "Letter of Intent to Resolve San Joaquin River Issues" referenced is the predecessor of the San Joaquin River Agreement. It would be more accurate to reference the SJRA and what it has the potential of providing.

P 395 No water user on the Stanislaus River or Merced River has sold an option, or is contemplating selling an option for water.

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The CDF&G is the lead agency for an EIR to evaluate the establishment of a salmon hatchery and rearing facilities. The SJRGA is involved in the process but has taken a neutral position, awaiting CEQA analysis, as to whether or not to support a salmon hatchery and rearing facility.

It is stated that "the future of the Agreement is unknown at this time." The statement is vague as to which Agreement is being discussed, the SJRA or its predecessor the "Letter of Intent to Resolve San Joaquin River Issues".

Please verify the existence of the San Joaquin River Stakeholders Policy Group, as the SJRGA is unaware of any such organization.

P 437 The EIS/EIR for the San Joaquin River Agreement did evaluate the impact of the

Agreement on Steelhead. A copy of the EIS/EIR is enclosed for your review.

Strategic Plan for Ecosystem Restoration
Appendix D. Draft Stage 1 Actions
San Joaquin River Basin
June 1999

- P D-43 The purpose of the SJRA is not to release water to evaluate the effects of flow upon water quality in the San Joaquin River. The releases are to assist in determining the relationship, if any, between flow and export with the Head of Old River Barrier installed and salmon smolt survival. One of the by products of the SJRA will be that data regarding temperature, turbidity and electrical conductivity will be developed during the experiment.
- P D-45 There is no basis for the statement that additional flows are needed to augment San Joaquin River flows. The SJRA will provide water for fall attraction and spring pulse flow. Flows in the SJR at Vernalis will otherwise be met by USBR. To say more flow is necessary is to say the outcome of VAMP experiment has been predetermined.

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